

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

EXTRA SESSION OF THE THIRTY-SECOND LEGISLATURE, 1853,

AND THE

THIRTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE,

1854.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
Feb. 26, 1840, and March 16, 1842.  
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Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1854.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1854.

they may settle the same by an appraisement mutually agreed upon. CHAP. 299.

SECT. 36. This association shall remain a corporate body after the time named in the first section of this act, for the purpose of settling up the business thereof, and of enforcing and having enforced debts and liabilities, so long as it may be necessary for said purposes, but for no other. Charter, limita-
tion of.

SECT. 37. This act shall take effect and be in force from and after its approval by the governor.

[Approved April 5, 1854.]

Chapter 299.

An act additional to acts establishing and regulating the Penobscot Boom Corporation.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. The Penobscot Boom Corporation shall have the right to demand and receive fifty-three cents per thousand feet board measure, for booming and rafting board logs, and finding warp and wedges, upon all such logs rafted at their booms, instead of the rate of boomage heretofore prescribed; and for the rafting and boomage of all other lumber, the tolls shall remain as authorized in the act establishing said corporation; and the rate of boomage herein provided is established for the period of eight years or during the pleasure of the legislature; said corporation shall have the same lien on all logs and other lumber, boomed and rafted at their booms, for the security of the tolls and expenses authorized by this act, as is provided in the acts to which this is additional. Tolls.

—lien for.

SECT. 2. The limits of said boom shall be the same as are prescribed in the act of incorporation thereof, extending up the river however to the head of Olamon island; and said corporation shall have the exclusive right within said limits to boom, pick up and raft logs, and are authorized to raft the same at such places from their booms, as they shall deem necessary. Boom, limits of,
&c.

SECT. 3. It shall be the duty of log owners to receive and take away their logs as the same shall be rafted out and fastened to the buoys; and if they shall neglect so to do, and suffer them to accumulate so as to retard the rafting, then the corporation may run them away, and hitch them at the shores Logs when to be
taken away.

CHAP. 299.

below, and for doing the same shall be entitled to receive the sum of four cents each for the logs thus run away.

Logs intended to be manufactured on Stillwater branch, running of.

SECT. 4. All logs intended to be manufactured on the Stillwater branch, which may be rafted at the upper booms during the time that the trip for the passage of logs and rafts at the lower boom shall be closed by the accumulation of logs, shall be run by said corporation below said trip without charge for running the same.

Schedule of marks.

SECT. 5. It shall be the duty of log owners to transmit to the treasurer of said boom on or before the twentieth day of April annually, or before the corporation shall raft them out, a schedule of the mark or marks of all logs claimed by such owner; and said corporation may raft as strays those logs the marks of which are not thus furnished.

Agent.

SECT. 6. It shall be the duty of the boom committee to appoint annually in the month of April an agent, who shall receive from the log agent, and give his receipt for the same, the unmarked logs called *Prizes*, and pay to the treasurer of the corporation the boomage and expenses thereon; and such agent shall manufacture said logs and sell the lumber, and apportion the net proceeds at the close of the rafting season, amongst the owners who pay the boomage of logs rafted at such season, pro rata, and pay over to them their respective shares of such net proceeds. And said agent shall in like manner receive and receipt for the logs rafted at said booms having marks thereon not entered with the corporation as aforesaid, denominated *Strays*, and pay to the corporation the boomage and expenses thereon, and it shall be the duty of said agent to run said logs to some suitable and convenient place of deposit, and file with the clerk of the corporation a record of the marks thereof for the inspection of the log owners, and shall deliver to each log owner the logs belonging to the same upon his paying the tolls and expenses thereon, and giving his receipt therefor to be filed with the clerk of the corporation; and he shall annually at the close of the rafting season, and before the month of January, advertise in some paper printed in Bangor the number of such logs as shall remain unclaimed by their owners, designating the place where they are; and he shall manufacture in the spring following such as shall remain in his possession, and sell the lumber, keeping an accurate account of the quality and quantity of each mark, and deposit the net proceeds with the treasurer of the corporation, specifying the net proceeds of each mark in a book to be by him

Prizes, regulation and disposition of.

Strays, regulation and disposition of.

Unclaimed logs, regulation and disposition of.

deposited with the said treasurer for the inspection of log owners. And when he shall make said deposit he shall give public notice thereof in some newspaper printed in Bangor, said treasurer shall pay to the claimants of said logs, proving their ownership, the net amount of the proceeds thereof as deposited with him, at any time within one year from the time of said deposit, and any balance remaining after the expiration of such period shall be distributed amongst the log owners of the year when they were rafted, in the same manner as is provided for the distribution of the proceeds of prize logs.

And said agent shall have the right to take and use shores necessary for the accommodation of said stray logs in the same manner and upon the same conditions as said corporation would be authorized to take the same. In case no agent shall be appointed by the boom committee, or the agent so appointed shall neglect to perform the duties prescribed in this section, said corporation shall have the right to appoint an agent to perform the same. It shall be the duty of the log agent to deposit with the clerk of the corporation the receipts taken by him for the prize and stray logs as aforesaid daily as he shall receive the same, to be preserved by the corporation.

Right to take
and use shores.

Agent, corpora-
tion right to
appoint in
certain cases.

Prize and stray
logs, receipts for,
how disposed of.

SECT. 7. All prize and stray logs now in Pea cove shall be taken by the agent authorized to be appointed in the preceding section, by paying the toll and expenses thereon, and he shall advertise the strays by posting up a transcript of the several marks at the post office in Bangor, Orono, and Oldtown, thirty days before the fifteenth day of June next, and at the expiration of said time he shall proceed to manufacture those which shall not have been claimed and the expenses thereon paid by the owners. And he shall also manufacture the prize logs, and dispose of the lumber, and distribute the net proceeds of said logs amongst the log owners paying boomage for the last three years in the manner prescribed in the preceding section.

—in Pea cove,
how disposed of.

SECT. 8. Annually on the first day of January in each year, the treasurer of said corporation shall make a return under oath of all sums actually paid and expended in rafting and securing logs with incidental expenses, designating in said return the amount paid at each rafting gap, together with the quantity of logs in number and feet, board measure, boom scale, rafted at each of said rafting gaps, as aforesaid, and all logs picked up and rafted by said corporation.

Treasurer, an-
nual return of,
&c.

And said treasurer shall designate in a separate account the amount paid for labor, and in a separate account the amount

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paid for warp and wedges, and in a separate account the amount paid for provisions, and in a separate account the amount paid the officers and clerks of said corporation, and the incidental expenses, also in a separate account the value of the provisions, warp, wedges, and all property used by said corporation in operating said boom, on hand at the time the rafting ceases in each year, which said return shall be filed in the land office, and audited by the land agent, and said account shall state particularly for what each particular sum was paid.

Construction account.

SECT. 9. A separate account shall be kept by the treasurer of said corporation, to be called the construction account, which shall include all repairs in each year on said boom, and permanent structures and improvements, which account shall designate the sum paid for each particular, and shall be returned under oath by the treasurer to the land agent, to be audited by him as aforesaid.

Lease of boom, &c.

SECT. 10. The boom corporation aforesaid is hereby authorized to lease all its piers, booms, shores, buildings, land and appurtenances to an incorporated association of log owners for the term of fifteen years from the first day of January last, and shall be required so to do, if such association shall be incorporated and organize and apply for the same within twenty days from the passage of this act, and agree to pay for the use of the same ten cents per thousand feet board measure, full scale, for all logs and other lumber passing the said booms during said term—one-half on the first day of August, and one-half on the first day of December each year. Said association shall also pay the shore rent of the Indian Islands, and shall keep said booms and other property leased in good repair, and make all new erections necessary in carrying on the business, and satisfactorily secure the payment above by lien or otherwise; and shall also assess such sum on the logs from time to time as shall pay the rents and rafting, and discharge all the obligations devolved upon said association.

—term of.
—conditions of.

Upon the execution of such lease the Penobscot Boom Corporation shall be exempt during its continuance from all the liabilities and duties that would otherwise devolve upon it, and all said duties and liabilities shall devolve upon said association. If said association shall neglect or refuse to execute on its part the lease as aforesaid, then, and also in case it shall afterwards abandon the duties imposed, said boom corporation shall have the right to continue or resume the possession and management of its booms and other property, under

—in case of neglect to execute rights of corporation.

the provisions of this act and those to which it is additional; and the charter of said corporation is hereby extended twenty years, and the acts establishing and regulating the said corporation shall not be changed without its assent during the next fifteen years. CHAP. 300.

SECT. 11. The provisions of this act so far as they are inconsistent with those of the act incorporating the Penobscot Lumber Association now pending, shall be suspended; *provided*, the Lumber Association shall assume the charge of the booms under the provisions in the preceding section, for the period it shall be so managed by the same. Inconsistent provisions suspended.
Proviso.

SECT. 12. This act shall take effect from and after its approval by the governor, and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

[Approved April 5, 1864.]

Chapter 300.

An act to amend an act to incorporate the Maine Telegraph Company, passed in the year eighteen hundred forty-eight.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. The Maine Telegraph Company is hereby authorized and empowered to extend their lines of telegraph westwardly and northwardly to and beyond the boundaries of this state, by construction, purchase or otherwise; subject, however, to such laws relating to lines of telegraph as may be passed by the states into or through which the same may be extended, as aforesaid. Line, extension of, &c.

SECT. 2. Said company is hereby authorized and empowered to hold stock in any other line of telegraph, with which their own lines may be connected in telegraphing; *provided*, that the capital stock of said company shall not be increased for any other purpose than that of constructing or extending their lines of telegraph, as above provided, and of holding stock as aforesaid. Authorized to hold stock in other lines.
Proviso.

SECT. 3. This act shall not authorize the construction of telegraph lines to, or the establishment of telegraph stations in any city or town north of Bath, wherein stations are now established by the Kennebec Telegraph Company without the consent of that company. Extension of line limited.

[Approved April 6, 1864.]